

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHLOE, S.A.S., J. CHOO LIMITED,

Plaintiffs,

v.

KEN CHEN a/k/a SHU CHEN a/k/a XIANG
CHEN, DANIEL DOE, GODDESS TRADING
d/b/a GODDESSTRADING@HOTMAIL.COM,
LUXUNG GOODS, LUXURY GOODS, TERRY
DOE c/b/a AZNTERRY911@HOTMAIL.COM,
JASON DOE d/b/a
JARRY326@YAHOO.COM.CN, FASHION
HANDBAGS, BENNY DOE, JEANCARLO DOE,
JOSEPH a/k/a JOSE DOE, SISI a/k/a CECI DOE,
TOP LUXURY HANDBAGS d/b/a
LUXURYHANDBAGS277@YAHOO.COM,
FRANCISCO DOE, BEN DOE, CARLOS DOE,
INSTYLE LUXURY HANDBAGS, CORINA
DOE a/k/a QIMIAO HU a/k/a QI MIAO HU,
KENNY DOE a/k/a YE GUO a/k/a GUO Q YE,
NEWCOME TRADING d/b/a TOSCA, QUICK
GLOBAL SHIPPING, HOWARD EXPRESS
SHIPPING, RANDY DOE, and various JOHN and
JANE DOES 1-10 and XYZ COMPANIES
(UNIDENTIFIED),

Defendants.

Civil Action No.: 07-cv-6491

**NOTICE OF CROSS MOTION OF DEFENDANTS
NEWCOME TRADING, INC. d/b/a TOSCA, NEW
WEALTH, INC. d/b/a TOSCA and TOSCA
HANDBAGS TO RELEASE SEIZURE OF ASSETS**

PLEASE TAKE NOTICE, that the defendants NEWCOME TRADING, INC. d/b/a
TOSCA, NEW WEALTH, INC. d/b/a TOSCA and TOSCA HANDBAGS will hereby cross-

move on August 3, 2007 before Judge Pauley for an Order vacating his prior Temporary Retraining Order to the extent of releasing the freeze on the defendants' assets as Plaintiffs have failed to carry their burden of proof of showing that these defendants were involved in counterfeiting of Plaintiffs' trademarks and have failed to show that these three defendants, established businesses, might secrete their funds or abscond if their assets were not frozen.

Dated: New York, New York
August 1, 2007

Yours, etc.

GAINEY & McKENNA
Attorneys for Defendants
NOTICE OF CROSS MOTION OF
DEFENDANTS NEWCOME TRADING
d/b/a TOSCA, NEW WEALTH, INC.
d/b/a TOSCA AND TOSCA HANDBAGS
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(212) 983-1300
Our File No. :355.152

By: S/
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Attorneys for Plaintiff